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Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventieth session
14 September–2 October 2015
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined second and third periodic reports of Timor-Leste

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2015.

The Committee may take up any aspect of the children's rights set out in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to respond to the following questions.

1. Please indicate whether the State party is considering raising the age of majority to 18 years in conformity with the Convention. Please provide updated information on the draft Tutelary and Education Law for Minors, the draft Children's Code, the draft Educational Guardianship of Children's Law, the draft Law on Human Trafficking, and other developments regarding relevant legislation as mentioned in paragraph 22 of the Report of the State party (CRC/C/TLS/2-3), as well as its availability in all languages of the State party.

2. Please provide updated information on the status and implementation of a comprehensive national strategy and plan of action for implementation of the Convention in the State party.

3. Please provide the Committee with more detailed information on the National Commission for the Rights of the Child and information on staffing and resources.

4. Please provide information on the measures taken, including requests for technical assistance, to establish a centralized database system, for the collection and analysis of data on children, including data related to children collected for the 2010 National Census.

5. Please provide additional information on the Office of the *Provedor de Direitos Humanos e Justiça*, including the human and financial resources allocated to it, whether children can file complaints without the need for guardian consent, awareness-raising

activities and training programmes, as well as the status of the Strategic Plan. Please also provide information on the status of the report on violence against children in schools.

6. Please provide updated information on the status of the Civil Registry Code. Please also provide information on efforts to improve birth registrations. Please indicate whether children born out of wedlock and who have no contact with their biological father are able to obtain birth certificates.

7. Please provide updated information on the measures taken by the State party to combat all forms of violence against children, including corporal punishment in all settings, domestic violence, sexual harassment, abuse and sexual violence, including incest, as well as violence within schools, and the community at large. Please also provide detailed information on the protection and assistance provided to children victims of domestic violence, reintegration of child victims of violence, as referred to in paragraph 95 of the report of the State party, and the number of children benefitting from such assistance, as well as budget allocations. Please further provide information on the number of mental health counsellors, social workers and legal personnel working with children who are victims of domestic violence, the number of shelters as well as the location of these services in the State party, especially outside of the capital. Please provide information on the implementation of the National Action Plan on Gender-Based Violence and the Child Protection Referral Network, as well as information on training and number of child protection officers.

8. Please provide information on efforts by the State party to identify and locate children that were separated from their families/disappeared as a result of the conflicts in the State party, up to 1999, and to inform families about what happened to their children.

9. Please provide information on efforts to strengthen support to biological families to prevent out-of-home placements, including informal arrangements. Please also provide information on the status of the draft laws relating to the regulation of alternative care arrangements and providers and on child protection, and resources allocated to their implementation. Please further provide information on the Child and Family Welfare Policy. Please provide information on the number of residential care facilities, including orphanages, shelters and boarding houses, the number that are privately administered and whether the State party licenses and undertakes regular inspections of these facilities, as well as the development of a foster care system and the adoption of a law on adoption as previously recommended by the Committee.

10. Please provide updated information on the National Policy for Inclusion and Promotion of the Rights of People with Disabilities, approved in 2012, including the measures envisaged to include children with disabilities in mainstream education (e.g., the Social Inclusion Policy and National Inclusive Education Policy) and to increase the accessibility of schools and other facilities to children with disabilities. Please also provide information on the measures to ensure the protection of children with disabilities in institutions from ill-treatment, the Youth Policy and the National Strategy for Community Based Rehabilitation, indicating how many children with disabilities benefit from these initiatives.

11. Please provide updated information on the electronic child tracking system for immunization, as well as the Community Case Management strategy and Essential Newborn Care programme. Please also provide information on efforts to improve mental health care and services, especially in rural areas, including capacity-building of health workers to provide specialist services and treatment and to offer adequate information in relation to referral of children to rehabilitation centres. Please further provide information on the number of mental health specialists by district as well as detailed information on the National Mental Health Strategy.

12. Please provide more detailed information on programmes to support families and reduce child poverty, in particular in rural areas. Please also provide updated information on the National Policy for Child and Family Welfare and the five year development programme (2012–2017) as part of the National Strategic Development Plan. Please further provide updated information on food assistance programmes to address malnutrition among children, resulting in stunting.

13. Please provide updated information on efforts to ensure access to safe drinking water, sanitation and housing, especially in rural areas. Please also provide information on the measures to combat open defecation and provide rural water, sanitation and hygiene facilities. Please further provide information on indoor air pollution, as well as the measures to reduce reliance on firewood used in traditional cooking practices and policies to introduce clean cooking technologies.

14. Please provide updated information on the measures taken to address alcohol and substance abuse among children, as well as to combat sexually transmitted infections, including HIV/AIDS.

15. Please provide information on the National Education Strategic Plan, the National Policy Framework for Preschool Education and Action Plan, the Social Inclusion Policy, the Inclusive Education Policy and the National Policy on Inclusive Education concerning quality of education and access, especially for girls, children with disabilities and children in remote areas.

16. Please provide updated information on the measures taken to increase school enrolment and retention, especially at the secondary level, among girls during and after pregnancy, children living in poverty and those in rural areas. Please also indicate the measures taken to address traditional attitudes, early pregnancies and early marriages, as well as the high number of girls who suffer sexual abuse and harassment by teachers as well as sexual harassment and violence by girls in and on their way to school.

17. Please provide more detailed information on the measures to combat child labour as well as awareness-raising initiatives on the value of education and children's rights in this regard. Please also provide information on the measures to ensure respect for the minimum ages for work and dangerous work, and define "light" work, which is authorized for children. Please indicate if the State party intends to ratify the International Labour Organization Worst Forms of Child Labour Convention 1999 (No. 182) concerning the prohibition and immediate action for the elimination of the worst forms of child labour.

18. Please provide more detailed information on trafficking in children, the status of the draft law to combat trafficking in people, and the draft national plan of action.

19. Please provide updated information on the juvenile justice system, including the status of the draft special penal regime for young adults, as well as the actions taken to enhance the skills and specialization of all relevant actors, with regard to the protection of the rights of children in conflict with the law. Please also provide information on the measures taken to ensure that juveniles in conflict with the law are not detained together with adult prisoners. Please further provide updated information on alternatives to detention for juveniles in conflict with law. Please provide information on the traditional justice system with regard to children in conflict with the law.

Part II

In this section, the State party is requested to briefly (three pages maximum) update the information provided in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

In this section, the State party is requested to provide data, statistics and other information, if available.

1. Please provide data for the last three years on the budgets allocated for children at the national and local levels (in absolute terms and as a percentage of the national budget and of gross domestic product) in the fields of education, health, social services and child protection.

2. Please provide, if available, updated statistical data (disaggregated by age, sex, geographic location, and socioeconomic status) for the past three years on the number of:

(a) Child marriages;

(b) Child victims of abuse, including victims of domestic violence, sexual abuse and exploitation;

(c) Investigations of cases of sexual violence and rape and the outcomes of trials, including information on the penalties for perpetrators, and redress and compensation offered to the victims;

(d) Trafficking in children and commercial sexual exploitation of children;

(e) Child labour in the formal and informal economy;

(f) Children placed into families other than biological families as part of unofficial adoption or foster care arrangements.

3. Please provide data (disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location) regarding the situation of children deprived of a family environment and separated from their parents. Please indicate, for the past three years, the number of children:

(a) Separated from their parents;

(b) Living in child-headed households;

(c) Placed in alternative care facilities, including institutions and orphanages;

(d) Living in shelters;

(e) Placed with foster families;

(f) Adopted domestically or through inter-country adoptions.

4. Please provide data, disaggregated by age, sex, type of disability and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) In institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

5. Please provide, if available, updated statistical data (disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location) for the past three years on the number and/or rates of:

(a) Infant mortality and mortality rates for children under 5 years of age;

(b) Low birth weight and children that are underweight, wasted and stunted;

(c) Immunizations;

(d) Malaria, dengue, tuberculosis, pneumonia, diarrhoea, worm infestations and other diseases common among children;

(e) Maternal mortality;

(f) Women and girls receiving medical and professional services for pregnancy and child birth in rural and urban areas;

(g) Teenage pregnancies;

(h) Sexually transmitted infections, including HIV/AIDS;

(i) Tobacco, alcohol and drug use;

(j) Enrolment rates, retention rates, graduation rates and drop-out rates of students at the primary and secondary school levels;

(k) Literacy rates at the primary and secondary school levels in Tetum and Portuguese;

(l) Children in detention settings, including juvenile detention centres, adult correctional facilities and police custody, as well as information on how long children remain in police lock-ups, including children in need of care and protection and those in conflict with the law;

(m) Children involved with criminal gangs, including martial arts gangs.

6. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

7. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.